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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,379	07/15/2003	Satoshi Shahana	SIC-03-020	1378
29863	7590	11/30/2005		
DELAND LAW OFFICE P.O. BOX 69 KLAMATH RIVER, CA 96050-0069			EXAMINER CHARLES, MARCUS	
			ART UNIT 3682	PAPER NUMBER

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/604,379

Applicant(s)

SHAHANA, SATOSHI

Examiner

Marcus Charles

Art Unit

3682

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This action is responsive to the amendment filed 09-09-2005, which has been entered.

Claims 1-19 are currently pending.

### *Drawings*

1. The examiner as accepted the drawing filed 9-09-2005.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 8, 11-15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (4,789,379) in view of Hanamura (Des.424,984). Ozaki et al. disclose a bicycle derailleur comprising a base member (3), non-rotatable mounted to a bicycle frame (6), a link mechanism having a first portion and a second portion (12, 9), such that the first portion is connected to the base and the second portion is disposed above the first portion, a chain guide (11) is coupled to the second portion via a pivot (19), so that the guide moves relative to the base member to move the chain. Ozaki et al. do not disclose the outer cable sheave stopper disposed below the first pivot shaft. Hanamura discloses a pivot shaft having a cable sheave stopper (see attached drawing) disposed below the pivot shaft that connects the base with the link mechanism. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the derailleur of Ozaki et al. so that the cable sheave

stopper is below the first pivot in view of Hanamura to allow the guide to move from the smallest to the largest sprocket with minimum effort and strain on the cable.

In claims 2 and 3, note the base member is mounted coaxially with the bicycle wheel (see fig. 1).

In claim 8, it is apparent that the base member is structured to be mounted to the bicycle independent of the wheel axle (5).

In claim 11, it is apparent that the link mechanism is a four-point link mechanism.

In claims 12-13, Ozaki et al. discloses the claimed invention (see fig. See figs 2, 4).

In claim 14, note the chain guide (11) is coupled to the second end of the first link and second link members (see fig. 4).

In claim 15, note the biasing member (230 and the cable member (W2).

In claim 18, note the rotational axis of the lower sprocket is above the lowermost surface of the base member

4. Claims 1 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (5,597,366) in view of Hanamura (Des.424,984). Ozaki disclose a bicycle derailleur comprising a base member (3/10), non-rotatable mounted to a bicycle frame (E), a link mechanism (9) having a first portion and a second portion, such that the first portion is connected to the base at pivots (11-12) and the second portion (17) is disposed above the first portion, a chain guide (7) is coupled to the second portion (17) via a pivot (15, 16), so that the guide moves relative to the base member to move the chain. Ozaki et al. do not disclose the outer cable sheave stopper disposed below the

first pivot shaft. Hanamura discloses a pivot shaft having a cable sheave stopper (see attached drawing) disposed below the pivot shaft that connects the base with the link mechanism. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the derailleur of Ozaki et al. so that the cable sheave stopper is below the first pivot in view of Hanamura to allow the guide to move from the smallest to the largest sprocket with minimum effort and strain on the cable.

In claims 2 and 3, note the base member is mounted coaxially and integrally with the bicycle wheel axle (see figs. 1, 2).

In claim 8, it is apparent that the base member is structured to be mounted to the bicycle independent of the wheel axle (2).

In claim 11, it is apparent that the link mechanism is a four-point link mechanism.

In claims 12-13, Ozaki et al. discloses the claimed invention (see fig. See figs. 1, 2).

In claim 14, note the chain guide (7) is coupled to the second end of the first link and second link members (see figs. 1-2).

In claim 15, note the biasing member (18) and the cable member (W1).

In claim 16, Ozaki discloses the claimed invention in figs. 1 and 2.

In claim 17, note the second spring (23) in fig. 2.

5. Claims 4-7, 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. in view of Hanamura as applied to claim 1 above, and further in view of FR (337740). Ozaki et al. and Hanamura fail to disclose the base includes a projection that is structured to engage on opening in the form on a notch, opening or a slit in the frame.

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FR (337740) discloses a bicycle derailleur having a base with a projection (39) that is structured to engage an opening such as a notch, or slit in the frame in order to prevent the base from misalignment due to inadvertent movement. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the base member of Ozaki et al. so as to include a projection in view of FR (337740) in order to prevent the base from misalignment due to inadvertent movement.

### ***Conclusion***


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Steinberg et al. (5,466, '94) and Nakamura (4,637,808) disclose a derailleur comprising a sheave cable stopper that is below the picot pin.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Charles whose telephone number is (571) 272-7101. The examiner can normally be reached on Monday-Thursday 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ridley Richard can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

  
Marcus Charles  
Primary Examiner  
Art Unit 3682  
November 22, 2005

10/606379

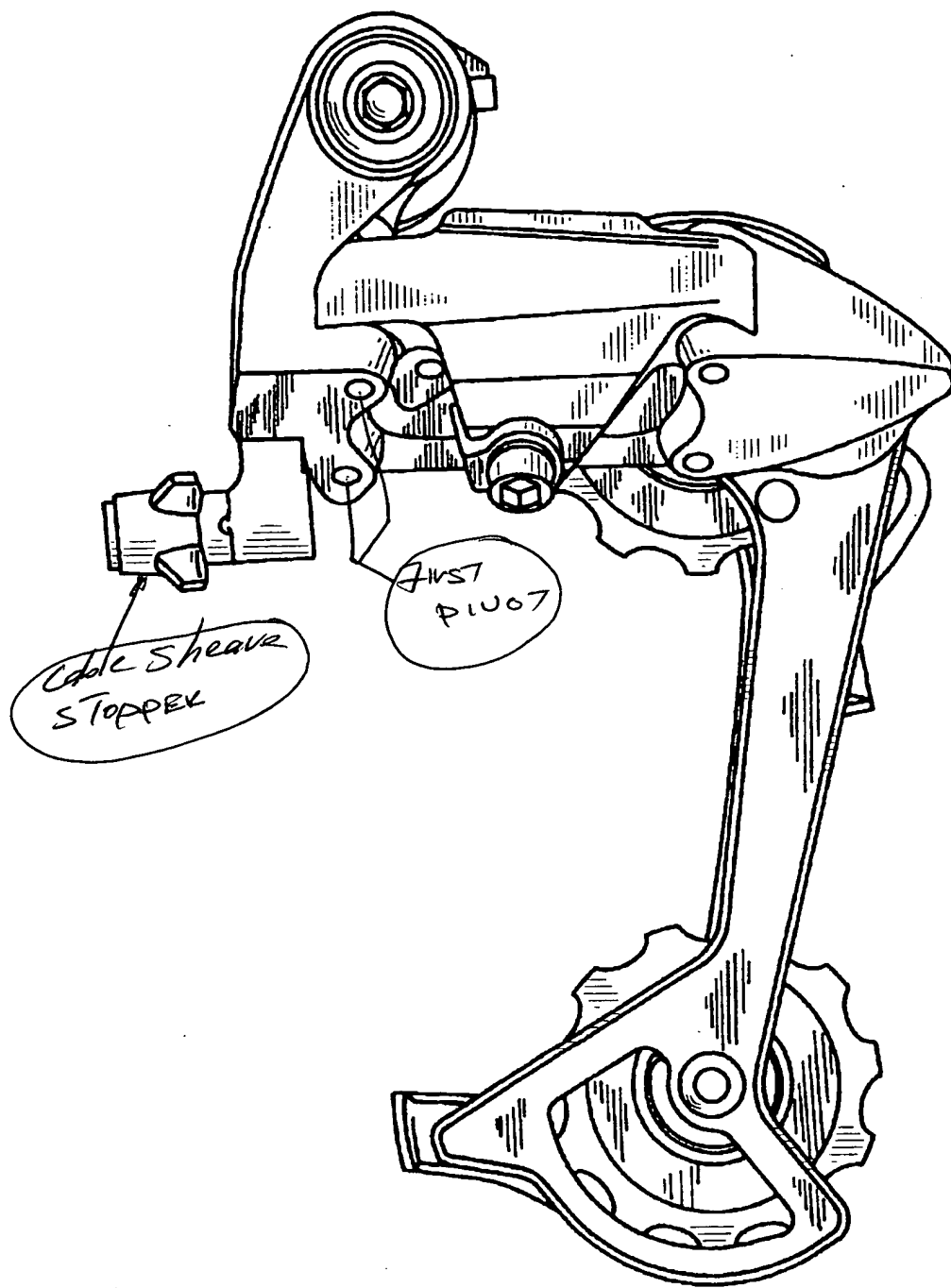


FIG. 1